

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Nobuyuki KOJIMA, *et al.*

Serial No.: 10/576,812

Filed: 24 April 2006

Title: VIBRATION WAVE DRIVEN APPARATUS  
AND VIBRATOR

Group Art Unit: 2834

Examiner: D. Rosenau

Attorney Docket No.: CANO:336

Confirmation No.: 9042

**VIA EFS-WEB**  
**11 September 2008**

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**SUPPLEMENTAL REPLY WITH VERIFIED ENGLISH TRANSLATION**  
**TO PERFECT PRIORITY**

Sir:

This is a timely reply to the Final rejection dated 26 June 2008 and the Advisory Action dated 10 September 2008. No fee is due. The Commissioner, however, is authorized to charge any unaccounted fee(s), such as for extension of time, excess claim fees, etc., required to maintain pendency of this application to Deposit Account No. 18-2056.

OK TO ENTER: /DR/

01/05/2009

REMARKS

Claims 1-8 and 10-16 remain pending in this application. Claims 18-20 were canceled in the previous reply.

In the previous reply, applicants explained that Maruyama is NOT prior art since this application claims priority to JP 2004-171641 filed 9 June 2004, which predates Maruyama's earliest effective date (10 November 2004). In this respect, applicants submit a verified English translation of the priority application to perfect priority and place this application in condition for allowance.

Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

11 SEPTEMBER 2008

DATE

/Lyle Kimms 091108/

LYLE KIMMS

REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

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